

**WOOD, HERRON & EVANS, L.L.P.**

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPY  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whopatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988  
TRUMAN A. HERRON 1935-1978  
EDWARD B. EVANS 1936-1971

September 24, 2004

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 24 2004

J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, PH.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, PH.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND (VA, DC BAR ONLY)  
STEVEN W. BENINTENDI, PH.D.  
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS  
HENRY M. LABODA, PH.D.

**FACSIMILE COVER SHEET**

To: Examiner Yicun Wu  
Group Unit No. 2175  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Fax: 703-872-9306

From: Thomas W. Humphrey

Re: Our File: IBM-196  
U.S. Application Serial No. 10/ 039,369  
Filed January 2, 2002  
ESTIMATION OF JOIN FANOUT  
USING AUGMENTED HISTOGRAM  
Abdo

Pages: 12 (including cover sheet)

**MESSAGE/COMMENTS**

Confirmation message will not follow.

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual(s) or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

RECEIVED  
CENTRAL FAX CENTER

SEP 24 2004

PATENT  
ATTY. DOCKET NO. IBM/196

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Abdo Art Unit: 2175  
Serial No. : 10/ 039,369 Examiner: Yicun Wu  
Filed : January 2, 2002  
For : ESTIMATION OF JOIN FANOUT USING AUGMENTED HISTOGRAM

Mail Stop AMENDMENT FEE  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Via Facsimile

AMENDMENT TRANSMITTAL

1. X Transmitted herewith is a Response to Office Action.
2.    Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- Enclosed is a verified statement to establish Small Entity status
- X Other than a Small Entity

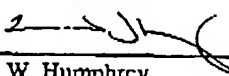
3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	17	MINUS	20	0	x \$9	\$0	x \$18	\$0
INDEP.	3	MINUS	3	0	x \$43	\$0	x \$85	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$145	\$0	+\$290	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

   Additional fee for claims is required.

4. X Attached is a check in the sum of \$\_. Please charge my Deposit Account No. 23-3000 in the amount of \$ 950.00.

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner of Patents at 703-872-9306, on: September 24, 2004

  
Thomas W. Humphrey  
Reg. No. 34,353

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
one month	\$ 110.00	\$ 55.00
two months	\$ 420.00	\$210.00
<u>X</u> three months	\$ 950.00	\$475.00
four months	\$1,480.00	\$740.00
five months	\$2,010.00	\$1005.00
Extension fee due with this request \$ <u>950.00</u>		

If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

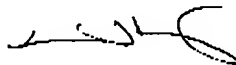
- X An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$ \_\_\_\_\_.

OR

- (b) \_\_\_\_\_ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

- X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey  
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202-2917  
Voice: (513) 241-2324  
Facsimile: (513) 241-6234